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Office Memorandum • UNITED STATES GOVERNMENT

TO : General Counsel

FROM : Assistant Director for Communications

SUBJECT: Reciprocal Communications Privileges

DATE: 9 February 1952

OGC HAS REVIEWED.

1. This refers to the memorandum from General Counsel dated 1 February 1952 on the subject of reciprocal communications privileges.

2. I cannot but feel that paragraph 2 of the memorandum is fallacious as the policy of reciprocity has little or no connection with the availability of frequencies. If the policy of the United States regarding reciprocity is changed in accordance with a more sophisticated view of the problem than now exists, I am sure frequencies will not present a major problem.

3. Paragraph 3 of the referenced memorandum contains the crux of the whole matter inasmuch as it indicates that the decision given by the State Department legal advisor in 1941 regarding the Communications Act of 1934 is unlikely to be reversed if reviewed. The whole question of the possibility of obtaining reciprocity in communications rights without a change in the Act of 1934 appears to me to revolve around the question of the licensing of the Foreign Government stations. If the wording of the Act is such as to preclude an interpretation excepting Foreign Government stations from licensing it then becomes necessary to either obtain an amendment to the Act or a way of surmounting it. I also question the statement that amending of the Act of 1934 would be "almost an impossible job". It appears to me that the major opposition could be removed by the proper approach, possibly to each opposing element individually, so that an amendment might be obtained without too much difficulty.

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5. The suggestion contained in the next to the last sentence in paragraph 4 may in fact be the way of obtaining the rights we desire, but inasmuch as it would require approval by the Senate in each separate instance, it will be a slower process than I had hoped for.

6. In paragraph 5 the statement of Mr. Barringer that "action would have to be taken to prevent use of an illegal situation" appears to be negated by the examples referred to in the paragraph. Before a final decision is arrived at as to the policy to be followed in this regard, considerable discussion should be had between the agencies primarily concerned with our international interests.

7. It will interest you to learn that subsequent to your talk with Mr. Barringer, a meeting of interested parties in the State Department was held and it was decided that Mr. Kreer, Chief of the Telegraph Branch of the State Department and Mr. Barringer would discuss this problem with Mr. Haraden Pratt, Telecommunications Advisor to the President.

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